

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6396**

**BILL NUMBER: SB 281**

**NOTE PREPARED:** Dec 15, 2011

**BILL AMENDED:**

**SUBJECT:** Carriers of Ballot Petitions.

**FIRST AUTHOR:** Sen. Walker

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** ☒ **GENERAL**  
☒ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill requires that an individual who circulates a petition required to place a candidate or a public question on the ballot must sign an affirmation on each petition page that states, under the penalties for perjury, that the individual has no reason to believe that any individual whose signature appears on the page is ineligible to sign the petition or did not properly complete and sign the page. The bill requires that the petition carrier print below the affirmation the petition carrier's name, full address, and date of birth. The bill provides that a signature page that does not comply with these provisions is void.

**Effective Date:** July 1, 2012.

**Explanation of State Expenditures:** *Summary:* The Indiana Code assigns a Class D felony to an act considered to be perjury. A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor depending upon mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$3,318 annually, or \$9.09 daily, per prisoner. However, any additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

**Background:** Nine persons were committed to a DOC facility during FY 2010 with a perjury conviction as the primary offense.

**Explanation of State Revenues:** If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase.

The maximum fine for a Class D felony is \$10,000. However, any additional revenues would likely be small.

**Explanation of Local Expenditures:** If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** DOC 2010 average daily membership incarceration data.

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